

THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND  
LIABILITY ACT (CERCLA)

R6-14-45. Brownfields Revitalization Funding

1. AUTHORITY. To exercise the Agency's authority pursuant to Sections 101(39) and 104(k) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended and Executive Order 13308, to make determinations and take other actions necessary to approve grants:
  - a. To eligible entities for programs to inventory, characterize, assess, and conduct planning related to one or more brownfield sites;
  - b. To eligible entities for capitalization of brownfield remediation revolving loan funds;
  - c. To eligible entities and non-profit organizations for remediation of one or more brownfield sites; and
  - d. To eligible entities and non-profit organizations to provide training, research and technical assistance to individuals and organizations to facilitate the inventory of brownfield sites, site assessments, remediation of brownfield sites, community involvement or site preparation.
2. TO WHOM DELEGATED. This authority is delegated through the Superfund Division Director to the Chief of the Superfund Program Management Branch.
3. LIMITATIONS.
  - a. The Superfund Division Director and the Chief of the Superfund Program Management Branch must obtain the concurrence of the AA/OSWER or designee prior to exercising the authority in paragraph 1. above, to approve grants. This limitation does not restrict the authority of the Regional Administrator and the Regional Administrator's delegates provided under EPA Delegation 1-14 and Region 6 Redelelegation R6-1-14 to execute and administer grants approved by the AA/OSWER.
  - b. The Superfund Division Director and the Chief of the Superfund Program Management Branch must obtain the advance concurrence of the Regional Counsel or the Regional Counsel's designee prior to exercising the authority described in paragraph 1. The Regional Counsel's concurrence may be waived by memorandum from the Regional Counsel.

Delegation of Authority from the  
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- c. The Superfund Division Director and the Chief of the Superfund Program Management Branch must make determinations under paragraphs 1.a., b., or c., regarding the eligibility of entities, in consultation with the Assistant Administrator for Enforcement and Compliance Assurance (AA/OECA) or his/her designee. The AA/OECA or his/her designee may waive, in whole or in part, this limitation by memorandum.
  - d. The Superfund Division Director and the Chief of the Superfund Program Management Branch must make determinations regarding the eligibility of brownfield sites in consultation with the Assistant Administrator for Enforcement and Compliance Assurance (AA/OECA) or his/her designee. The AA/OECA or his/her designee may waive, in whole or in part, this limitation by memorandum.
  - e. This authority shall be exercised subject to approved funding levels.
4. REDELEGATION AUTHORITY. This authority may not be redelegated further.
5. ADDITIONAL REFERENCES.
- a. The Federal Grant and Cooperative Agreement Act of 1977, 31 U.S.C. Sections 6301 et seq.
  - b. EPA Order 5700.1, *Policy for Distinguishing Between Assistance and Acquisition.*
  - c. 40 CFR Part 30, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations."
  - d. 40 CFR Part 31, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments."
  - e. EPA Delegation 1-14, *Assistance Agreements.*
  - f. Executive Order 13308, June 20, 2003.

Delegation of Authority from the  
Regional Administrator